

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

MANN DWAYNE DAVIS ,

Plaintiff,

Case No. 2:22-cv-48

v.

Honorable Maarten Vermaat

YVONNE WHITNEY et al.,

Defendants.

ORDER

This is a civil rights action brought by a state prisoner under 42 U.S.C. § 1983. Pursuant to 28 U.S.C. § 636(c) and Rule 73 of the Federal Rules of Civil Procedure, Plaintiff consented to proceed in all matters in this action under the jurisdiction of a United States magistrate judge. (ECF No. 1, PageID.8.)¹

Local Civil Rule 41.1 provides that “[f]ailure of a plaintiff to keep the Court apprised of a current address shall be grounds for dismissal for want of prosecution.” W.D.Mich. LCivR 41.1. Moreover, the form complaint that Plaintiff used to file this action provides: “The failure of a *pro se* litigant to keep the court apprised of an address change may be considered cause for dismissal.” (ECF No. 1, PageID.8.)

The Court has attempted to serve documents on Plaintiff at the address he provided; but, the documents have been returned as “undeliverable.” (ECF No. 8.) The Michigan Department of Corrections Offender Tracking Information System (OTIS) indicates that Plaintiff was discharged

¹ (See Op., ECF No. 4, PageID.32-34.)

on July 31, 2022. *See* OTIS, <https://mdocweb.state.mi.us/otis2/otis2profile.aspx?mdocNumber=429123> (last visited Dec. 14, 2022).

Plaintiff has failed to comply with his obligation to keep the Court apprised of his current address. For more than four months, Plaintiff has had no contact with the Court. Because Plaintiff has wholly failed to comply with his obligation to keep the Court apprised of his current address, the Court will issue a judgment dismissing the case without prejudice for lack of prosecution. *See White v. City of Grand Rapids*, 34 F. App'x 210 (6th Cir. 2002).

IT IS SO ORDERED.

Dated: December 28, 2022

/s/ *Maarten Vermaat*

Maarten Vermaat
United States Magistrate Judge